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10/694,349

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Wolfgang Lubcke

LUBC3001C/FJD

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BACON & THOMAS, PLLC

625 SLATERS LANE

FOURTH FLOOR

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EXAMINER

KOVAL, MELISSA J

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* WOLFGANG LUBCKE, PETER GERST, and JEAN-GYL CAPT

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Appeal 2009-010439  
Application 10/694,349  
Technology Center 2800

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*Before* ROBERT E. NAPPI, MARC S. HOFF, and BRADLEY W.  
BAUMEISTER, *Administrative Patent Judges*.

HOFF, *Administrative Patent Judge*.

DECISION ON REQUEST FOR REHEARING

## INTRODUCTION

Appellants' Request for Rehearing, filed October 19, 2011, contends that we erred in our Decision on Appeal entered August 19, 2011.

Appellants argue that the language of independent claim 1 requires the measuring instrument to be powered by "said supply current and at least a portion of the signal current." (Req. for Reh'g 2). Appellants assert that the Specification supports the limitation (*id.*).

## OPINION

We maintain the rejection of claims 1-12.

We are not persuaded by Appellants' argument that the Specification compels an interpretation of "to supply" as "to power." Appellants direct our attention to Page 10, lines 2-10 of the Specification (Req. for Reh'g 2). This section states,

Consequently, during the above-described division, the functional blocks with the lower power requirement are supplied with the signal current via the first pair of lines 1. The functional blocks with the higher power requirement are supplied with the supply current via the second pair of lines 3. Thus, the supply current and at least a proportion of the signal current are available to supply the measuring instrument.

The cited section, however, teaches no more than Appellants' claims teach regarding the meaning of the term "supply." We, thus, maintain our finding that Venditti teaches two pairs of lines (POWER+, POWER-; SIGNAL 1, SIGNAL 2) that flow into measuring instrument 20, thus "supplying" the measuring instrument (Decision 6).

CONCLUSION

In summary, we have granted Appellants' request for rehearing to the extent that we have reconsidered our decision rejecting claims 1-12, but we decline to modify the decision in any way.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

REHEARING DENIED

gvw